

COUNTY OF LOS ANGELES – DEPARTMENT OF MENTAL HEALTH

F A C T S H E E T

**APPROVAL OF AND AUTHORIZATION TO IMPLEMENT CORRECTIVE ACTION
PLAN FOR COUNTYWIDE ENHANCED SPECIALIZED FOSTER CARE
MENTAL HEALTH SERVICES
(ALL AFFECTED)
(3 VOTES)**

REQUEST

These conjoint requests are with Directors of the Departments of Mental Health and Children and Family Services:

1. Approve the Court-ordered modifications to the Countywide Enhanced Specialized Foster Care Mental Health Services Plan (County Plan) to increase the screening and provision of mental health services to children who are not yet in foster care placement by the Department of Children and Family Services (DCFS), but who are at imminent risk of entering foster care placement ("at-risk population"), greater expansion of intensive in-home mental health services, including Wraparound and Treatment Foster Care services, systems to more quickly transition children out of congregate care settings, and systems to better monitor outcomes that children are achieving, at a projected annual cost of \$90.3 million funded with Early and Periodic Screening, Diagnosis and Treatment (EPSDT) State General Funds (SGF), EPSDT-Federal Financial Participation (FFP) Medi-Cal, and Intrafund Transfer (IFT) from DCFS.
2. Authorize the implementation of the modified County Plan in Service Areas (SA) 1, 6 and 7 and Countywide implementation of the increased Wraparound and Treatment Foster Care services and expansion of the Multidisciplinary Assessment Team program, subject to approval of the financing and staffing requirements which will be included in the Departments' Fiscal Year (FY) 2007-08 Budgets during the Supplemental Changes phase of the budget process.
3. Delegate authority to the Director of Mental Health or his designee to prepare, sign, and execute Amendments to Agreements with Department of Mental Health (DMH) contractors selected to provide the Foster Family Agency, Wraparound and Treatment Foster Care mental health services, subject to approval of the financing requirements, which will be included in the DMH FY 2007-08 Budget during the Supplemental Changes phase of the budget process.

PURPOSE/JUSTIFICATION

Approval of the recommended actions will enable DMH and DCFS to develop and implement the Court-ordered changes to the services reflected in the County Plan. This Corrective Action Plan has been prepared in direct response to the November 2006 Findings of Fact and Conclusions of Law Order issued by Hon. Howard A. Matz, United States District Court, Central District of California, with respect to the settlement reached in the Katie A., etc. v. Bonta, et al., Case No. CV 02-05662 AHM (ShX) ("Katie A.") lawsuit. The Katie A. Settlement Agreement was approved by the Board in July 2003, and the original County Plan to implement the Settlement Agreement was approved by the Board on October 11, 2005.

With these modifications to the County Plan, additional and enhanced systems will be put into place to ensure screening and provision of mental health services to children who have not yet been removed from their homes, but who are in need of ongoing child welfare services, such as Family Maintenance Services, Voluntary Family Maintenance Services, and Voluntary Family reunification, and children in Foster Family Agency (FFA) foster homes; greater expansion of intensive in-home mental health services, including Wraparound and Treatment Foster care services; development of expanded comprehensive, community-based, culturally relevant treatment programs to more quickly and effectively transition children out of congregate care settings; and implementation of systems to better monitor the outcomes that children are achieving. Further, the modified plan includes the Countywide expansion of the Multidisciplinary Assessment Treatment (MAT) program and the development of a process to assess and monitor the effectiveness of training activities related to the new service delivery system.

While the Court-ordered changes to the Plan are significant, DMH and DCFS are committed to integrating these activities into a broader and larger mission to more effectively identify the child's needs in the context of the family and the development of an array of clinical, support and placement services to meet these needs. These improved services will be grounded in improvements in utilization and access management, community network development, provider development and financing strategies, using a needs-based planning approach for both child welfare and mental health systems.

Given the geography and size of the County and the multiple challenges and complexities associated with meeting the terms of the Settlement Agreement, DMH and DCFS are proposing a phased-in approach to implementing these services and achieving these tasks.

In terms of sequence, DMH and DCFS will first address the areas of the Phase I programs that require enhancements as identified in either the Court Order or by Health Management Associates (HMA), in their evaluation findings. HMA is an organization engaged by the County to evaluate the implementation of Phase I of the Plan to identify areas of strengths and weaknesses to inform Countywide, or Phase 2, implementation. Specifically targeted are improvements and expansion of the DMH co-located activities to include the capacity to screen and assess children at risk of involvement in the child welfare system, as well as the expansion of the Wraparound program and the development of Treatment Foster Care capacity by January 2008.

Secondly, DMH and DCFS will address those issues identified by both the Katie A. Advisory Panel and the HMA evaluation report, including the development of infrastructure to support planning, implementation and management of data related to needs assessments, service delivery and outcomes for mental health and child welfare interventions.

Further, DMH and DCFS will put in place activities that will provide the foundation for broader needs assessment, including the screening, assessment and treatment of children and youth in home and relative placements, as well as those in D-rate placements.

Finally, DMH and DCFS will implement an array of service models that offer a continuum of best practice approaches drawing on scientific literature, consultation with the Katie A. Advisory Panel and other experts, and analysis of data relative to service needs. All of these endeavors will need to be supported by the development of a flexible and blended approach to funding that includes Title IV-E, EPSDT, County General Funds and the Mental Health Services Act.

BACKGROUND

In 2002, a class action lawsuit ("Katie A.") was filed against the State of California and Los Angeles County alleging that children in contact with the County's foster care system were not receiving mental health and other services to which they were entitled. In July 2003, the County entered into a Settlement Agreement resolving the County portion of the litigation. Among other things, the Settlement Agreement established an Advisory Panel to assist the County in developing plans for meeting the obligations of this Agreement and report to the Federal District Court on the County's progress in doing so. On August 16, 2005, the Advisory Panel issued its Fifth Report concluding that the County had not developed a sufficient plan to meet the needs of the plaintiff class, therefore not meeting the obligations of the Settlement Agreement.

In response to this finding, the County developed the Countywide Enhanced Specialized Foster Care Mental Health Services Plan (County Plan), approved by your Board on October 11, 2005. The County Plan was to be implemented in two phases with Phase 1 addressing the needs of children and families in DMH Service Areas 1, 6 and 7. Phase 2 would cover the remaining Service Areas and would occur after the Phase 1 implementation was evaluated to ensure that lessons learned would inform the development and implementation of Phase 2.

In November 2006, the Federal Court ordered the County to make a number of modifications to the County Plan. The senior executive staff of DMH and DCFS worked with the Panel and plaintiffs' attorneys to modify the County Plan in accordance with the Court Order, as discussed above.

CONTRACTING PROCESS

One of the requested actions is to delegate authority to the DMH Director to augment the amount of funding in existing contracts for specialized mental health services to children under the care of DCFS. DMH will identify and select, in accordance with County directives and guidelines, contracted mental health providers to which EPSDT funds will be allocated to expand mental health services. This delegated authority is requested in order to expedite the process of implementing these additional services.

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